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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,060	11/17/2003	Kia Silverbrook	ZG012US	9931

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SILVERBROOK RESEARCH PTY LTD  
393 DARLING STREET  
BALMAIN, NSW 2041  
AUSTRALIA

EXAMINER

PEGGINS, KRISTAL J

ART UNIT PAPER NUMBER

2861

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/713,060		SILVERBROOK, KIA	
	<b>Examiner</b>		<b>Art Unit</b>	
	K. Feggins		2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/17/2003</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7 are rejected under 35 U.S.C. 102(a) as being anticipated by Silverbrook (US 6,652,078 B2).

3. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Silverbrook (US 6,652,078 B2).

The applied reference has a common inventor with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

**Silverbrook discloses the following claimed limitations:**

\* regarding claim 1, an inkjet printer (col 4, lines 10-20) which comprises a pagewidth printhead assembly/11/ that defines a plurality of ink passages/31/ so that the printhead assembly can be supplied with ink (1-3, 9b);

\* an ink conduit structure/52/ that is connected to the printhead assembly, the ink conduit structure/52/ defining a plurality of converging ink conduits/ink holes/53/ that are in fluid communication with respective ink passages/31 (figs 9b & 12);

\* a ink distribution structure/fig 12/ that is connected to the ink conduit structure/52/, the ink distribution structure defining a plurality of ink ducts/40/, each ink duct being in fluid communication with a respective set of ink conduits/holes/53/; and a number of inlet ports/34/ arranged on the ink distribution structure/fig 12/, each inlet port/34/ being in fluid communication with a respective ink duct/40/ (figs 7, 8, 9b & 12).

\* regarding claim 2, in which the pagewidth printhead assembly (figs 1-3) includes a number of printhead chips/27/ that are positioned to span a width of a printing path (col 4, line s32-45, col 5, lines 39-54, col 10, lines 5-12).

\* regarding claim 3, in which the ducts/40/ of the ink distribution structure are positioned on an outer side of the ink distribution structure, the ink distribution structure further defining a plurality of transitional ducts/51/ positioned on an opposed inner side of the structure, each transitional duct/51/ being in fluid communication with a corresponding duct/50/ and said respective set of ink conduits/holes/53/(figs 7, 8 & 9b).

\* regarding claim 4. An inkjet printer as claimed in claim 3, in which the ink conduit structure/52/ is in the form of a stack of sheets/laminated stacked layers/ (fig 12), each sheet/layers/ having a plurality of openings and inwardly directed channels/42/ defined therein, the openings and channels/42/ being dimensioned and positioned so that, when the sheets/layers/ are in the stack, the openings and channels/42/ together define the converging ink conduits/holes/53/ (figs 7, 8, & 12).

\* regarding claim 5, in which each sheet/layer/ is a micro-molded structure (col 5, lines 12-54, fig 12).

\* regarding claim 6, in which the openings and channels are dimensioned and positioned so that the ink conduit structure defines a plurality of sets of inlet openings, each set of inlet openings corresponding to an ink of a particular color and being in fluid communication with a transitional duct and a respective ink conduit, each conduit terminating at a slot which is in fluid communication with a respective ink passage (col 9, lines 50-61, col 10, lines 1-4).

\* regarding claim 7, which includes a cover member that is engaged with the ink distribution structure to close the ink distribution structure, the cover member defining the inlet ports (col 10, lines 17-21).

### Communication With The USPTO

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Feggins whose telephone number is 571-272-2254. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talbott Dave can be reached on 571-272-1934. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
K. FEGGINS  
PRIMARY EXAMINER 12/05